

REMARKS

I. Introduction.

Claims 8-9, 11-13 and 15-18 are currently pending in this Application, of which claim 8 is independent. Claim 10 has been cancelled without prejudice or disclaimer. Claim 8 has been amended. Applicant respectfully submits that all pending claims are condition for allowance.

II. Examiner Teleconference.

Applicant thanks the Examiner for the courtesy of the teleconference on October 10, 2008. In the teleconference, the current amendment to independent claim 8 was discussed. Applicant respectfully submits that claim 8 is in condition for allowance, as are all claims dependent thereon.

III. Rejections under 35 U.S.C. §102 and 35 U.S.C. § 103.

Claims 8-9, 12, 13, and 18 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,203,681 to Cooper (Cooper '681). Claims 8-10, 12, 13, and 18 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,330,328 to Cooper (Cooper '328). Claims 8-11, 16 and 17 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,398,525 to Cooper (Cooper '525). Claims 8-11, 16 and 17 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,303,074 to Cooper (Cooper '074). Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over either of Cooper '328 or Cooper '681. Applicant notes that claim 10 is cancelled in this amendment.

Applicant respectfully submits that none of the cited references (i.e., Cooper '681, Cooper '328, Cooper '525, or Cooper '074), alone or in combination, disclose or suggest each and every limitation of independent claim 8 as amended. In particular, none of the references disclose or suggest a molten metal pump that includes a superstructure and a plurality of support posts, wherein the superstructure of the molten metal pump is supported at least in part by a top surface of each support post. For example, Cooper '681 and Cooper '328 show the superstructure 26 connected to support post 24 using a through bolt 312 that passes through the support post 24 and through the support post clamp 30 on mounting plate 262. *See* Cooper '681, col. 10, lines 5-49 and Fig. 15. It is this through bolt passing through the support post, and the bore through the support post, that support the superstructure. Thus, the respective

superstructures in Cooper '681 and Cooper '328 are not supported (even partially) by a top surface of any of the support posts as required by claim 8.

Likewise, in Cooper '074 and Cooper '525, the support posts 30 are not supported by a top surface of any of the support posts.

CONCLUSION

In view of the amendments and arguments herein, reconsideration is respectfully requested. Applicant believes the case is in condition for allowance and respectfully requests withdrawal of the rejections and allowance of the pending claims.

Applicant reserves the right to prosecute any cancelled claims or additional claims, including claims of broader scope, in a continuation application.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to **Deposit Account No. 19-3878**.

The Examiner is invited to telephone the undersigned at the telephone number listed below if it would in any way advance prosecution of this case.

Respectfully submitted,

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